

AND FURTHER, THE COURT ACTING AS MAGISTRATE conducted an interrogation into the causes and circumstances of the Accused's apprehension, and the reasons therefor, and after examining the evidence and the credibility thereof, and being of the opinion that probable cause exists for belief that the Accused has committed a criminal offense against the laws of the State of Texas; that such offense was committed within the territorial jurisdiction of said Court, at the time and in the manner herein above described.

IT IS THEREFORE ORDERED that the Accused herein be remanded to the custody of the Chief of Police of the City of Dallas, Dallas County, Texas, and by him safely kept in the Dallas City Jail until ordered otherwise by this Court, or any other Court of competent Jurisdiction.

DONE at Dallas, Texas, on this 3 day of April, 19 47 at 1:15
o'clock, L M.

Witness

Witness

Magistrate

Judge, Corporation Court
of the City of Dallas,
Dallas County, Texas

THE STATE OF TEXAS

VS.

Sergio Arcacha Smith

9915 Donagel, Dallas, Texas

IN THE CORPORATION COURT

IN AND FOR THE CITY OF DALLAS

DALLAS COUNTY, TEXAS

ORDER OF MAGISTRATE'S COURT

BE IT REMEMBERED, that on the date, and at the time and place herein named, the above named individual, hereinafter called "Accused," being a person under arrest, appeared in person before a Judge of the above named Court, and the Accused appearing to be sane and understanding of the English language; the said Judge acting as a Magistrate, proceeded as follows:

THE ACCUSED WAS INFORMED he was being restrained for commission of the offense of

Violation R. 14-26-62, Relative to Conspiracy to

Commit Simple Burglary, a felony/~~felony~~;

committed on or about the unk. day of unk., 19unk., and at a time prior to his appearance herein, within the corporate limits of the City of unk. in the State of Texas and

State of ~~Texas~~, in the following manner, to-wit: Warrant # 198-198, issued by the State of

Louisiana, on this offense, issued by Criminal District Court, Section D for the Parish of Orleans, at the Hall of the Sittings of the same, in the City of New Orleans, this 31st day of March in the year of our Lord, one thousand nine hundred and sixty-seven.

and that ~~an~~ affidavit in connection therewith has been filed.

THE ACCUSED WAS FURTHER INFORMED of his right to retain counsel, of his right to request the appointment of counsel if he is unable to obtain counsel, and that he shall be allowed a reasonable time and opportunity to consult counsel; of his right to have an examining trial; that he is not required to make a statement and that any statement made by him can and probably will be used against him. The Court further explained to the Accused that he has the right to remain silent; that he does not have to discuss any alleged offense with law enforcement personnel. In the event he affirmatively waives the right to remain silent and elects to discuss an offense, he has a right to change his mind and end the discussion at any time. Further, he has a right to have his attorney present during any discussion.

THE ACCUSED WAS FURTHER INFORMED of the nature and quality of the accusation against him, and instructed that he shall have the right to be admitted to bail unless it be for a capital offense when the proof is evident.

THE ACCUSED WAS FURTHER INSTRUCTED THAT, "In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself. He shall have the right of being heard by himself, or counsel, or both; shall be confronted with the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor. No person shall be held to answer for a felony unless on indictment of a grand jury."